

SUBDIVISION ORDINANCE
OF
PERRY COUNTY

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PREAMBLE

The County Board of Commissioners, cognizant of the need of orderly expansion of housing facilities for the County of Perry, and desiring that such housing be established in a suitable and orderly manner, hereby establishes Subdivision Regulations for the County of Perry.

Pursuant to the authority conferred by the Statutes of the State of Illinois, the objectives of these Regulations are to provide for the orderly growth and harmonious development of the unincorporated areas of the County; to secure adequate traffic circulation by means of coordinated street systems with relation to major thoroughfares and streets adjoining subdivisions, public walkways, public facilities and other land uses; to achieve individual lots of reasonable utility and livability; to facilitate adequate provisions for transportation, water supply, drainage, sanitary sewerage, and health requirements; to encourage the installation of street lights and street trees; to encourage adequate provisions for recreational areas, open-space school sites, and other public ways and facilities; to encourage the installation of underground utilities; to provide for the further subdivision of tracts into smaller or larger parcels of land; to encourage the use of erosion and sedimentation control measures during the site development process; and to provide administrative and review procedures for the attainment of these objectives.

The County Board not desiring to prevent the incorporation of initiative, creativity, and new ideas to further development, hereby directs that these Subdivision Regulations be administered and interpreted, to the end that variance to the following standards be allowed, when their enforcement would cause hardship or where the developer can show that enforcement would cause hardship or where the developer can show that enforcement of these proposals is not desirable for the community and persons involved.

For the purpose of these regulations certain terms or words used herein shall be interpreted or defined as follows: Words used in the present tense include the future tense. The term "shall" is also mandatory.

ALLEY:

A permanent service way providing a secondary means of access to abutting lands.

BLOCK:

Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, or other definite barrier.

BOULEVARD:

A street, other than a freeway or an expressway, developed with two-lane, one-way pavements separated by a landscaped island, median or barrier.

CONSTRUCTION:

Refers to site grading, street work, utility installation (water, sewer, electric, gas, etc.), installation of ponds and/or lakes. This does not prevent the owner of the land from clearing any existing buildings and land coverages (trees, shrubs, fences, etc.) which would not be a part of the Subdivision.

COUNTY:

The County of Perry, Illinois.

COUNTY BOARD:

The County Board of Commissioners of Perry County, Illinois.

COUNTY CLERK:

The County Clerk of Perry County, Illinois.

COUNTY HIGHWAY:

Roads and streets maintained by the County Highway Department

COUNTY ENGINEER:

An official employed by the Perry County Board, under the Illinois Compiled Statutes.

CUL-DE-SAC: (Court or Dead End Street):

A short street or highways having one end open to traffic and being permanently terminated by a vehicle turn-around.

DEVELOPER:

Any person engaged in developing or improving a lot or groups of lots or structures thereon for use or occupancy.

EASEMENT:

A grant by the property owner of the use of a strip of land by the public, a corporation, or persons, for specified purposes.

ENGINEER:

A professional engineer registered as such and licensed to practice in the State of Illinois or qualified to practice as provided in the Illinois Compiled Statutes.

IMPROVEMENT:

Street pavements (with or without curb and gutter) public walkways, monuments, water main's, sanitary and storm sewers, street signs, culverts and appurtenances to the afore going items and for use by the public.

JURISDICTIONAL AREA:

Perry County, Illinois

LAND SURVEYOR:

A professional land surveyor registered as such and licensed to practice in the State of Illinois or qualified to practice as provided in the Illinois Compiled Statutes.

LOT:

A portion of a subdivision or other parcel of land intended as a unit for development or transfer of ownership.

PERSON:

A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

PLACE:

An open, unoccupied, officially-designated space other than a public street or alley, permanently reserved for use as the principal means of access to abutting property, having a turning circle of not less than 100 feet in diameter and not more than 100 feet in length measured from the edge of the intersecting road surface to the back of the turning circle.

PLAN REVIEW COMMITTEE:

The group of representatives including, but not limited to, County Engineer, Administrator of Health Department, Supervisor of Assessments, and District Conservationist of the Natural Resources Conservation Service, appointed by the County Board, which review and act upon proposed subdivision plans. One

representative from each of the incorporated municipalities will serve as an ex officio member when a proposed subdivision is within 1.5 miles of a local municipal boundary.

PLAT, FINAL:

The final map, and supporting data, indicating the layout of the subdivision which is presented to the County Board for final approval in accordance with these regulations, and which, if approved by the Board, shall be entitled to be filed with the Office of County Clerk.

PLAT, PRELIMINARY:

A preliminary map, and supporting data, indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for the review by the Plan Review Committee, meeting the requirements of these Regulations.

PLAN:

A set of supporting data attached to a generalized map prepared by an engineer or the plat suitable for filing with the County Recorder for the parcel of land.

PLAT:

A detailed map prepared by a land surveyor suitable for filing with the County Recorder describing the parcel of land.

ROAD DISTRICT ROAD:

A road or street maintained by the Road District.

SETBACK LINE:

A line on a plat marking the setback distance from the street line, which establishes a minimum distance between buildings (temporary or permanent) and the street line.

STREET:

A right-of-way, other than an alley, dedicated or otherwise legally established to the public use, usually affording the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, land, drive, or other appropriate name.

STREET, ARTERIAL:

A street designated for large volumes of traffic movement. Certain Arterial Streets may be classed as Limited Access Highways to which entrances and exits are provided only at controlled intersections and access is denied to abutting properties.

STREET, FEEDER:

A street planned to facilitate the collection of traffic from local streets, and to provide circulation within neighborhood areas and convenient way for traffic to reach Arterial Streets.

STREET, LOCAL:

A street designated primarily to provide access to abutting properties. Marginal Access Streets are local streets designed and constructed parallel to Arterial Streets, which provide access to abutting property and ways for traffic to reach access points on Arterial Streets.

STRUCTURES:

Anything man-made, i.e., signs, fences, etc.

SUBDIVIDER:

Any person engaged in developing or improving a tract of land that complies with the definition of a subdivision as defined in these Regulations.

SUBDIVISION:

The division of any parcel of land shown as a unit, as part of a unit, or as contiguous units on the last preceding transfer of ownership thereof, into two or more parcels, sites, or lots, any one of which is less than five acres in area, for the purpose, whether immediate or future, of transfer of ownership provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall not be considered a subdivision, or, the improvement of one or more parcels of land for residential, commercial or industrial groups of structures involving the subdivision and allocation of land as streets or other open spaces for common use by owners, occupants, or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public utilities and facilities.

SYSTEMS, WATER AND SEWER:

Mains, lines and operational units.

"U" STREET:

A short boulevard having both ends terminating on the same street.

ARTICLE II. ESTABLISHMENT OF CONTROL

Section 2.1--Authority

In accordance with the Illinois Compiled Statutes:

Authority of County Governments	55	ILCS	5/5-1041
Illinois Plat Act	765	ILCS	205

No plat or replat of a subdivision of land located within the Jurisdictional Area shall be recorded until it shall have been approved by the County Board, and a certified copy of the order of approval shall have been attached to the plat by the County Clerk.

No person, firm, or corporation proposing to make or having made a subdivision within the County, shall enter into any contract for sale of, or shall offer to sell said subdivision or any part thereof until the has obtained the approval of the final subdivision plat for the proposed subdivision and has filed same.

No person, firm, or corporation proposing to make or having made a subdivision within the unincorporated portion of the County, shall proceed with any construction work on the proposed subdivision, including grading, until he has obtained the Conditional Approval of the Preliminary Plat of the proposed subdivision.

No plat of any subdivision shall be "entitled to record" in the County Recorder's Office, or have any validity, until it has been approved in the manner prescribed by law.

Section 2.2--Violation and Penalties

It shall be illegal to sell or offer to sell any lot, tract, or property, which does not conform to the requirements and regulations of this resolution. Every such sale or attempt to sell shall be subject to a fine of not less than twenty-five (\$25.00) dollars, for each lot or tract as provided by in 765 ILCS 205.

Section 2.3--Exemptions from Requirements

Except as otherwise provided in the Plat Act, whenever the owner of land subdivides it into two (2) or more parts, any of which is less than five (5) acres, he must have it surveyed and a subdivision plat thereof made by an Illinois Registered Land Surveyor.

The provisions of this ordinance do not apply and no plat is required in any of the following instances.

(A) The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access.

- (B) The division of lots or blocks of less than one (1) acre in any recorded subdivision, which does not involve any new streets or easements of access.
- (C) The sale or exchange of parcels of land between owners of adjoining and contiguous land.
- (D) The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public facilities and other pipe lines which does not involve any new streets or easements of access.
- (E) The conveyance of land for highway or other public purposes or grants or conveyance relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
- (F) Conveyance made to correct description in prior conveyances.
- (G) The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
- (H) The conveyance of land owned by a railroad or other public utility, which does not involve any new streets or easements of access.
- (I) The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by a registered surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract existing as of October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

Section 2.4--Administration

For purposes of continuity of this ordinance, the Perry County Board of Commissioners hereby designates the office of the Perry County Engineer, an appointed office, as the Administrator of this ordinance.

The Administrator will be the contact person for the County concerning any individual or entity wishing to develop a subdivision within Perry County, Illinois.

ARTICLE III. PROCEDURES FOR SUBMISSION
REVIEW AND APPROVAL OF PLATS

Section 3.1--Pre-application Phase

A. Pre-application Phase

The pre-application phase may be one or more conferences at which the developer may informally present his proposed subdivision, and obtain filing information and comments from the reviewing authorities. The subdivider/developer should initiate discussions with the County Engineer before thoroughly preparing any subdivision plans or plats. They should be familiar with these regulations and the public policies and objectives applicable to the territory in which the proposed subdivision lies. They or their representative shall be responsible for compliance with these regulations, including all certificates.

Section 3.2--Filing of Plats and Applications for Exceptions

A. Filing of Plats and Supporting Data

Any person requesting approval either of a preliminary or final plat of subdivision or re-subdivision shall file six copies of a plat thereof with the County Clerk, and shall furnish therewith six copies of all data necessary to show compliance with all applicable regulations of the County and shall make application for preliminary or final approval of the proposed plat, all in accordance with the requirements set forth in these regulations. The County Clerk shall refer all applications for the preliminary or final approval of plats to the Plan Review Committee for review and action thereon. A recommendation from the Plan Review Committee will then be made to the County Board for review and action thereon.

Section 3.3--Preliminary Phase

A. Maps, Data and Inspection Fees to be Submitted

The applicant shall provide a preliminary plan of the subdivision, as follows, which shall show the manner in which the proposed subdivision is coordinated with thoroughfares, school and recreation sites, shopping centers, community facilities, sanitation, water supply and drainage, and other developments, existing and proposed, in the vicinity: Provided, however, that no land shall be subdivided for use unless adequate access to the land over improved streets or thoroughfares exists or will be provided by the subdivider, or if such land is considered by the County Board to be unsuitable for such use by reason of flooding or improper drainage objectionable earth and rock formation, topography, or any other feature harmful to the health and safety of possible residents in the subdivision and to the community as a whole.

B. The applicant shall provide six (6) copies of each of the following:

1. A plan with a location map (which may be prepared by indicating the required data by notation on available maps) showing:

- a. Subdivision name and location
- b. Any thoroughfares related to the subdivision.
- c. Existing public schools with school district indicated, parks and playground serving the area proposed to be subdivided, and other community facilities.
- d. Any storm and floodwater run-off channels and basins related to the subdivision.
- e. Title, scale, North point and date.
- f. Compliance with the requirements of the National Flood Insurance Program, as adopted by the County Board.
- g. Statements concerning the location type and approximate size or capacity of utilities to be installed by the subdivider.
- h. Names and addresses of the owner, subdivider and the land planning consultant, engineer or surveyor, who prepared the plan.
- i. Contours based on Mean Sea Level, at vertical intervals of no more than two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%). USGS digitized contours will not be accepted.
- j. One or more bench marks, in or near the subdivision to which the subdivision is referenced. The elevation shall be based on the Mean Sea Level Datum.
- k. Legend and notes.
- l. Other features or conditions which would affect the subdivision favorably or adversely.
- m. North point and date.
- n. Draft of protective covenants.

2. A Preliminary Plat showing:

- a. The Preliminary Plat of the subdivision shall be drawn to a scale of one hundred (100) feet to one (1) inch or larger: provided, however, that the resulting drawing does not exceed twenty four (24) inches in width by thirty-six (36) inches in length. Where necessary, the plat/plan may be on several sheets, accompanied by an index sheet showing the entire subdivision.
- b. Proposed name of the subdivision.
- c. Streets and right-of-way, on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate names of other streets in the Jurisdictional Area, except as designated by the County Board) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, treeplanting and other pertinent data.
- d. Easements, existing and proposed: Location, widths and purposes of existing and proposed (i.e., public utilities, storm water runoff channels, etc.).
- e. Layout of lots, showing dimensions and numbers.

- f. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
- g. Tract boundary lines showing dimensions bearings, or angles, and references to section, township and range lines or corners.
- h. Building set back lines.

C. The application shall be accompanied by a certified check or money order in the amount of one hundred dollars (\$100.00) plus ten dollars (\$10.00) for each lot in the proposed subdivision with a minimum total charge of one hundred ten dollars (\$110.00) to cover the cost of checking and verifying the proposed plat, and such amount shall be deposited in the General Corporate Fund of the County.

Preliminary Phase Approval

Within sixty (60) days from the date of application for approval of a preliminary plat of a subdivision, or the filing by the applicant of the last item of required supporting data, whichever is later, the Plan Review Committee shall review the preliminary plat and give its approval or return the plat to the applicant with a written statement setting forth the reason for disapproval and specifying the particular aspects in which the plat fails to conform to the County ordinances. After the Plan Review Committee has approved a preliminary plat, the County Board shall accept or reject the plat within thirty (30) days after its next stated regular meeting following the action of the Plan Review Committee.

Section 3.4--Final Phase

Time Limitation on Filing, Specifications and Surety

The applicant shall make application for final phase approval within one (1) year from the date of preliminary phase approval. The applicant may elect to have final approval of all or a geographic part or parts of the plan/plat, and may delay application for approval of other parts of the plan/plat until a later date or dates beyond one year with the approval of the County Board. Only that part of the plan/plat receiving final approval shall be recorded.

A. The applicant shall provide six (6) copies of each of the following:

1. The Final Plan shall meet the following specifications:

- a. All items included in the Preliminary Plan Phase
- b. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract and within three hundred (300) feet of the tract.
- c. Source of title of the applicant to the land as shown by the last entry in the books of the County Recorder.
- d. Accurate locations, type, size or capacity of existing and proposed utilities; including invert elevations, slope manholes, lift stations, hydrants and valves.
- e. Plans and specifications for the improvements required in these regulations.

- f. Name of the subdivision.
- g. Name and address of the
 - 1) owner of the land
 - 2) subdivider
- h. North point, scale and date.
- i. Grading plans showing finished grades.
- j. Legend and notes.
- k. Percolation test data and location of test holes, when required by the Health Authority.
- l. Drainage plan including watershed outlines with drainage computations, retention/detention basins, location of storm sewers, culverts and culvert calculations, drainage channels, slope indicators, pipe sizes, invert elevations, underground drains, outlet locations, and velocity reduction techniques.
- m. Soil information and soil map, when required by the Illinois Department of Natural Resources.
- n. Certification of all engineering work (including, but not limited to, F.E.M.A., drainage, utilities, streets, grading, etc.) by a registered Professional Engineer

2. A Final Plat showing:

- a. All items included in the Preliminary Plat Phase
- b. The Final Plat of the subdivision shall be drawn to a scale of one hundred (100) feet to one (1) inch or larger: provided, however, that the resulting drawing does not exceed twenty four (24) inches in width by thirty-six (36) inches in length. Where necessary, the plat/plan may be on several sheets, accompanied by an index sheet showing the entire subdivision. Six prints shall be submitted with the original Final Plat.
- c. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one (1) foot in ten thousand (10,000) feet.
- d. Accurate distances and directions to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plat.
- e. Street names in compliance with the Emergency 911 Board.
- f. Complete horizontal and vertical curve notes for all curves included in the plan.
- g. Streets and right-of-way, on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate names of other streets in the Jurisdictional Area, except as designated by the County Board) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, treeplanting and other pertinent data. Street lines with accurate dimensions in feet and decimal parts of feet, with angles to streets, alley and lot lines.
- h. Lot numbers, dimensions, and acreage or square footage in accordance with Section 5.3 Paragraph C, Subparagraph 4 & 5.
- i. Accurate locations of existing and proposed easements and any limitations on each easement.
- j. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
- k. Building set back lines and dimensions.
- l. Locations, type, material and size of all monuments and lot markers.

- m. Name of the subdivision.
- n. Name and address of the
 - 1) owner of the land
 - 2) Subdivider
- o. North point, scale and date.
- p. Legend and notes.
- q. Certification of the plat by a Registered Professional Land Surveyor.
- r. Certification of access from the Illinois Department of Transportation, when required.
- s. Certification of dedication of streets and other public property.
- t. Certificates of approval by the school district, as required.
- u. Certificate of prior preliminary approval by the County Board.

Final Phase Approval

Within sixty (60) days from the date of filing of the application for approval of the Final Plan/Plat of subdivision or the filing of the last document or other paper, whichever is later, the County Board shall approve or disapprove the Plan/Plat. Such sixty- (60) day period may be extended by mutual agreement between the applicant and the County Board.

Surety for Installations and Improvements

- A. As a condition of the final approval of the subdivision, the applicant shall post a good and sufficient bond with the County Clerk in the penal sum sufficient to cover the estimated cost of the expenditures necessary for completion of the improvements and installations in compliance with these regulations including reasonable inspection fees to be borne by this applicant, the bond shall:

- (1) Run to the County Board
- (2) Be with surety satisfaction to the County Board
- (3) Specify the time for completion of the installations and improvements.

Within sixty (60) days after the conditional final approval by the County Board of a Plan/Plat of a subdivision, the applicant shall file an estimate prepared by a Registered Engineer of the expenditures necessary including reasonable inspection fees to be borne by the applicant. If the applicant fails to file said estimate within the prescribed time, the County Board may appoint a Registered Engineer to prepare an estimate of the expenditures necessary for the completion of the improvements and installations in compliance with these regulations including reasonable inspection fees to be borne by the applicant and the applicant shall reimburse the County for the expense of the Engineer's Estimate. The amount of the surety bond posted by the applicant shall equal the amount of the Engineers' Estimate.

- B. In lieu of the surety bond required above, the County Board might permit the depositing of cash or other security acceptable to the Board to complete the installations and improvements.

Section 3.5—Filing of Orders and Resolutions

If the preliminary or final phase is approved, the County Clerk shall attach a certified copy of the order of resolution of approval to a copy of the plan/plat. If the proposed plan/plat is disapproved, the order or resolution shall state the reasons for disapproval, specifying with particularity the aspects in which the proposed plan/plat fails to conform to the ordinances of the County. A copy of the order or resolution shall be filed in the Office of the County Clerk.

ARTICLE IV. PRINCIPALS AND STANDARDS OF DESIGN

The final plat of the subdivision shall conform to the following principles and standards of design.

Section 4.1--General

The subdivision plan shall conform to the principles and standards, which are generally exhibited herein.

Section 4.2--Streets

- A. The street and alley layout shall provide access to all lots and parcels of land within the
- B. Proposed streets shall be adjusted to the contour of the land so as to produce useable lots and streets of reasonable gradient.
- C. Certain proposed streets, where appropriate, shall be extended to the boundary line of the tract to be subdivided so as to provide the normal circulation of traffic within the vicinity.
- D. Wherever there exists a dedicated or platted portion of a street or alley adjacent to the proposed subdivision, the remainder of the street or alley to the prescribed width shall be platted
- E. Alleys will not be approved in those parts of the Plat proposed for single and two-family residential use. Alleys may be provided for all lots or parcels intended for business, commercial,
- F. Half-streets, except where it is absolutely essential to the reasonable development of the tract and in conformity to the principles herein stated, are prohibited. Whenever a half-street has previously been platted, abutting the tract boundary line, the remaining half shall be platted and improved within the tract. In cases where the platting of a half-street is approved, it shall not be constructed or used for access to any lot until such time as the adjoining half-street is platted and approved and the entire street is constructed.
- G. Except as otherwise permitted by a local municipality, the following are the minimum acceptable widths of right-of-way for the various classes of streets.
 - 1. County Highways -- 80 feet
 - 2. Road District Township Road -- 50 feet
 - 3. Subdivision Street -- 50 feet

4. Special Traffic Ways

- a. Boulevard Street -- 100 feet
- b. "U" Street (where permitted by the Plan Review Committee) -- 100 feet
- c. Cul-de-sac streets -- 50 feet, terminating in a turning circle 120 feet in diameter; maximum length of any cul-de-sac shall be 600 feet measured from the center line of the intersecting street to the center of the turning circle, except in the judgement of the Plan Review Committee the physical situation of the land being subdivided, requires a longer cul-de-sac.
- d. Marginal Access Street (where permitted or required by the Plan Review Committee) -- 40 feet when abutting a freeway, expressway, Area Service, Collector or Land Access Highway.

H. Partial Right-of-way width:

In those instances in which the owner or owners of a new subdivision own land on only one side of an existing street, the right-of-way of which is narrower than that required by these regulations, the subdivider shall dedicate additional right-of-way of sufficient width to make that portion of the right-of-way lying between the center line of the existing right-of-way and the outside edge of the additional right-of-way at least equal to one-half of the required right-of-way width.

- I. All streets shall be named, and the names of streets in proposed plats shall be chosen as to avoid confusion or duplication with existing street names and shall be approved by the Plan Review Committee, in accordance with the Emergency 911 Board.
- J. The center lines of streets should intersect as nearly at right angles as possible.
- K. No street intersection shall have a radius less than twenty five (25) feet
- L. Intersections of more than two (2) streets at one point shall be avoided.
- M. Curb radii shall not be less than twenty (20) feet to face of curb or edge of pavement.
- N. Where parkways or special types of streets are involved, the County Engineer may apply special standards to be followed in their design.
- O. Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a "Limited Access Highway" by the appropriate highway authorities, provision shall be made for a Marginal Access Street, or a parallel street at a distance acceptable for the appropriate use of the land between the highway or railroad and such streets.

- P. Horizontal visibility on curved streets and vertical visibility on all streets shall be maintained along the centerline as follows:
- (1) Arterial Streets: Five hundred (500) feet.
 - (2) Feeder Streets and Parkways: Three Hundred (300) feet.
 - (3) Local Streets: One hundred and fifty (150) feet.
- Q. Curvature measured along the centerline shall have a minimum radius as follows:
- (1) Arterial Streets: Five hundred (500) feet.
 - (2) Feeder and Parkways: Three hundred (300) feet.
 - (3) Local Streets: Two hundred (200) feet.
- R. Between reversed curves on Arterial Streets there shall be a tangent of not less than one hundred (100) feet and on Feeder such tangent shall be not less than forty (40) feet.
- S. Maximum Grades for streets shall be as follows:
- (1) Arterial Streets, not greater than six (6) per cent.
 - (2) Feeder and Local Streets and Alleys not greater than eight (8) per cent.
- T. The minimum grade of any street gutter or drainage scale should not be less than three-tenths (0.3) per cent where possible.

Section 4.3--Blocks

- A. Blocks should not exceed one thousand three hundred and twenty (1,320) feet in length.
- B. Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth except where an interior street parallels a Limited Access Highway, and Arterial Street, a Railroad right-of-way, or other definite barrier.

Section 4.4--Lots

- A. All lots shall be provided with a public right-of-way. No lots shall be landlocked.
- B. Side lot lines shall be at right angles or radial to street lines, except when in the opinion of the Plan Review Committee, other treatment is justified.
- C. Wherever possible, unit shopping centers, based upon sound development standards, should be designed in contrast to the platting of lots for individual commercial use.

- D. Corner residential lots shall be wider than normal in order to permit appropriate set backs from abutting streets.
- E. Any lot that is served by a private sewer system as defined by IDPH **AND / OR** a private water system as defined by IDPH, the following shall prevail:
 - (1) Lot width -- minimum of 100 feet at the set back line.
 - (2) Lot area -- minimum of one (1.00) acre.
 - (3) Or of sufficient size to meet the recommendations of Illinois Department of Public Health Private Sewage Code, or the Perry County Basic Sanitation Ordinance-Private Sewage Regulations, as amended, whichever holds the higher standard.
- F. Any lot that is served entirely by public utilities, the following shall prevail:
 - (1) Lot width -- minimum of 70 feet at the set back line
 - (2) Lot area -- minimum of 10,000 square feet
- G. Required setback lines shall be measured from the street center line or right-of-way, and shall conform to the minimum setback requirements as provided in Section 5.5 of these regulations.
- H. The total land area within the boundary of a plat shall be an official part of the plat and accounted for as lots, tracts, easements, dedicated public areas, or dedicated right-of-way.
- I. The total land area within the boundary of the plat shall be an official part of the plat and accounted for as lots, tracts, easements, dedicated public areas, or dedicated right-of-way.

Section 4.5--Dedication of Public Land and Open-Space

In the event the Subdivider dedicates land to the public for public use as for example: a school, park, forest preserve or recreation area, the subdivider must have obtained from the appropriate public agency, a resolution of acceptance, or a letter of intent to accept the dedication.

Section 4.6--Easements

- A. The width and location of easements shall conform to the requirements as provided in Article 5, Section 5.4 of these Regulations.
- B. Easements, of a public or private nature, shall contain no structures and/or accessory buildings in or on the land, except essential public utility structures.

ARTICLE V. STANDARDS OF IMPROVEMENTS AND INSTALLATIONS

Section 5.1--General Requirements

The Subdivider shall provide and install all public improvements, as required by these Regulations. Improvements shall be provided and installed in accordance with the standards and engineering requirements established by these Regulations as well as any and all standards and requirements adopted by other local, state and federal authorities, which may have jurisdiction of the area being subdivided.

Section 5.2--Engineering Drawings Required

The Subdivider shall prepare and file at least six (6) copies of the Engineering drawings for the subdivision, as shall be required by the Plan Review Committee.

A. Additional Exhibits:

In addition to the required engineering drawings, the subdivider may submit to the Plan Review Committee, additional exhibits illustrating the type and location of additional physical improvements.

B. Source of Drawings:

The engineering drawings as required by these Regulations shall be prepared by an engineer qualified to practice in the State of Illinois, and bearing his name, address, seal, registration number and signature.

C. Modification of Physical Improvements During Construction:

If the Subdivider wishes to modify the size, type, quality, quantity and/or location of any or all of the required physical improvements during construction of the subdivision, he shall first obtain approval of the modifications from the Plan Review Committee before proceeding with the installation of the modified improvements.

Section 5.3--Required Physical Improvements

A. Installation Required:

The Subdivider shall be responsible for the adequate installation of all the physical improvements as required by these Regulations. Public improvements to be installed by the County or any corporate municipality or governmental body shall be withheld until the Final Plat has been approved and recorded, as required by these Regulations.

B. Monuments:

All lot corners shall be monumented by at least a one-half (1/2) inch diameter round or one-half (1/2)-inch iron pipe at least thirty (30) inches long set on the corner. All lot corners that may have been disturbed or lost during construction of streets and sewers shall be replaced at the expense of the Subdivider. The beginning and ending of all curves and a minimum of two (2) corners of each block and a minimum of two (2) corners at each street intersection shall be monumented with a permanent monument set in a concrete post, the concrete having a minimum length of thirty-six (36) inches and a minimum cross-section of a four (4) inch diameter circle. This monument shall be set sufficiently below the surface of the ground to make its disturbance unlikely.

C. Streets:

- (1) Streets (and alleys where provided) shall be completed to the grades shown on plans, profiles, and cross-sections, provided by the Subdivider and prepared by a Registered Professional Engineer and approved by the County Board.
- (2) The streets shall be graded, surfaced and improved to the dimensions required by such plans, profiles and cross-sections and the work shall be performed in the manner prescribed in "Standard Specifications for Road and Bridge Construction" adopted by the Department of Transportation of the State of Illinois.
- (3) All road signs shall comply with the County specifications and be installed at the developers cost.
- (4) Large Lot Subdivisions: In subdivisions having an average lot area of 15,000 square feet or more, the road surface shall be a minimum width of twenty (20) feet edge to edge on a twenty-two (22) foot base with a shoulder width of at least five (5) feet on each side of the road surface.
- (5) Small Lot Subdivisions: In subdivisions having a lot area of less than 15,000 square feet, the road travel surface shall be a minimum width of twenty-six (26) feet, back to back with an additional two (2) foot Portland Cement concrete gutter, or P.C.C. curb and gutter, on each side of the road surface. See Plate 1 for Standard design.
- (6) Permanent Turnarounds: The outside diameter of the surfaced area of permanent turnarounds shall not be less than one hundred (100) feet.
- (7) Construction: Pavement construction for streets, highways and alleys shall conform to the following:

TABLE I

DESIGN CHARACTERISTICS FOR STREET AND ALLEY PAVEMENTS

Minimum Thickness--by Street Classification

<u>Pavement Type and Materials Used¹</u>	<u>Feeder</u>	<u>Local²</u>	<u>Alley</u>	<u>Arterial</u>
Portland Cement Concrete ³ (Uniform Thickness)	7"	6"	6"	To conform to
Soil-Cement Base	7"	6"	6"	Illinois Department of Transportation Standards
Flexible Base (Gravel or Crushed Stone)	or 12" with	or 11" with	or 11" with	
Bituminous Mat. Surface	2"			
Bituminous Surface Treatment (A3)		X	X	

- 1 All paving materials shall conform to the Illinois Department of Transportation specifications.
- 2 When a Local Street serves industrial or commercial development use Feeder Street design characteristics.
- 3 Design for Portland Cement Concrete pavement shall include sub-grade design value in pavement design.

D. Curbs and Gutters:

Gutters and combination curbs and gutters, shall be Portland cement concrete, not less than twenty-four (24) inches in overall width and not less than six (6) inches thick, as shown on Plate 1.

- (1) Wherever a proposed subdivision lies adjacent to or between other subdivisions that have been provided with curb and gutter, the Subdivider shall install curb and gutter on each side of the street surface.
- (2) The curb and gutter shall be one of the construction types shown in the current applicable Standard Specifications, of the Illinois Department of Transportation or as shown on Plate 1 and shall be constructed according to the following specifications:
 - (a) The base for the curb and gutter shall be well compacted on the existing base or grade.
 - (b) The minimum specifications shall be as shown for the types of cross-sections in the Standard Specifications.
 - (c) All concrete used in the curb and gutter shall meet the Specifications of the Illinois Department of Transportation.
- (3) Integral or monolithic curb of the same dimensions as shown in the Standard Specifications or on Plate 1 may be built on concrete pavement, provided the pavement widths as set out elsewhere in these Regulations are maintained.

E. Sidewalks:

- (1) Wherever a proposed subdivision lies adjacent to or between other subdivisions that have been provided with sidewalks, or whenever the proposed subdivision will average more than three (3) lots per gross acre included in the subdivision, the Subdivider shall install sidewalks on each side of the street.
- (2) When sidewalks are required, they shall be constructed of Portland Cement Concrete, at least four (4) inches thick, and four (4) feet wide and placed immediately inside the street property line (see Plate 2).
- (3) All concrete used in the sidewalks shall meet the Specifications of the Illinois Department of Transportation.

Surface and/or subsurface drainage shall be designed so as to adequately drain all portions of the subdivision including streets. Detention/retention facilities shall be designed, when needed. Upon completion of the drainage facilities, the plans for such system as built shall be filed with the County Engineer accompanied by a Registered Professional Engineer's Certificate which states that the system has been constructed in accordance with the plans and specifications as set forth herein. When a drainage system is installed, the agency that will have maintenance responsibility of the street system must be consulted as to acceptance of the drainage system. All culverts and bridges shall conform to Section 5.5(G).

F. Culverts, Bridges, Intersections, and Private Entrances:

- (1) Culverts and other drainage culverts shall be designed and constructed of the type and size specified by the agency having maintenance jurisdiction, and laid to the flow line grade of the existing ditch and at no time shall such culvert pipe be less than twelve (12) inches in diameter or less than twenty-four (24) feet in length. Upon completion of the culvert and drainage system, the plans for such system as built shall be filed with the County Engineer accompanied by a Registered Professional Engineer's Certificate which states that the system has been constructed in accordance with the plans and specifications as set forth herein.
- (2) Entrance driveways shall be constructed of the same surfacing material as the street back to the property line, not less than an equivalent of CA-6 or CA-10, six (6) inches in depth, and shall be laid so that the finished surface of the driveway shall slope away from the traveled surface of the road at a slope equal to the existing shoulder lines at the location of the driveway.

G. Utilities: Water and Sanitary Sewer:

- (1) Whenever any portion of a proposed subdivision is located within one-half (1/2) mile (2600 feet), of an existing public water distribution system and/or a public sewer system, the subdivider shall provide the subdivision with a complete water distribution system and/or complete sanitary sewer system to be connected to the proper public system(s), when a permit can be secured from the agency owning the system.

- (2) Whenever the proposed subdivision is not accessible to a public water distribution system and/or a

public sanitary sewer system, the subdivider shall make available to the subdivision the following:

- (a) A complete community water supply system in accordance with the minimum requirements and recommendations of the appropriate State agency (IDPH or IEPA), **OR** the lot sizes shall meet the minimum requirements for the construction of individual water supplies on each lot in the subdivision in accordance with the minimum requirements and recommendations of the appropriate State agency (IDPH). (See Section 4.4)
 - (b) A complete community sanitary sewer system in accordance with the minimum requirements and recommendations of the appropriate State agency (IDPH or IEPA), **OR** the lot sizes shall meet the minimum requirements for the construction of individual private wastewater systems on each lot in the subdivision in accordance with the minimum requirements and recommendations of the appropriate State agency (IDPH). (See Section 4.4) **Under no circumstances shall the effluent from any septic system be discharged into a roadway tile or open ditch.** All effluent shall be maintained within the boundaries of each individual lot, unless the subdivider has received approval for the installation of a collection system to serve the entire subdivision. Such approval shall be received from the appropriate State agency, (IDPH or IEPA). Results of and location of Percolation Tests shall be shown on the preliminary plat or plans. The covenants for the subdivision shall require each lot owner to comply with the previously mentioned Regulations.
3. The Subdivider shall provide a copy of the plans for the installation of a public water supply system and/or a public sanitary sewer system with the subdivision application and the originals shall be delivered to the appropriate State agency. Upon completion of the utilities, an "as built" plan for such system shall be filed with the County Engineer accompanied by a Registered Professional Engineer's Certificate which states that the system has been constructed in accordance with the plans and specifications as set forth herein.
 4. When a public or community water supply distribution system is provided, the subdivider as part of the water distribution system shall install fire hydrants. Fire hydrants shall be installed in such a manner that each lot is within six hundred (600) feet of a fire hydrant when measured along the centerline of the right-of-way. Fire hydrants shall be placed in the utility easements or no further than twenty (20) feet from the curb. Hydrants installed shall be of the type approved by the Fire Chief of the district having jurisdiction.

H. Alleys:

The minimum widths of improved paved areas of alleys shall be as follows:

- (1) Alleys to serve business, commercial and industrial use areas -- twenty (20) feet.
- (2) Alleys to serve multiple-family residential use areas -- sixteen (16) feet.

A. Utility Easements

Easements shall be provided for any overhead or underground utility service including but not limited to sanitary sewer, storm sewer, water, gas, telephone and electric. Such easements shall have a minimum width of twelve (12) feet. Where it is intended that both overhead and underground utilities shall share the same easement, additional width sufficient to avoid conflict shall be provided. To the extent possible, easements shall be established along rear lot lines to provide continuity of alignment throughout the subdivision to be served. A letter of "approval of location" from all utility companies involved shall accompany the final plat.

B. Drainage Easements:

When a subdivision is bordered or traversed by an established stream, established drainage way or channel, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of same, and such easement shall include an additional area of sufficient width to permit maintenance and any improvement or reconstruction of the stream, drainage way or channel in the foreseeable future.

Section 5.5--Required Set Backs

A. The following are minimum building (temporary or permanent) setback distances for the various classes of streets and highways, measured from the street center line or the right-of-way, which ever provides the greater distance from the centerline. These shall be shown on the Preliminary and Final Plats of the Subdivision:

	<u>Center Line</u>	<u>Right-of-Ways</u>
1. State Highway:	100 feet	50 feet
2. County Highway:	85 feet	45 feet
3. Road District Highway:	70 feet	40 feet
4. Any street within the subdivision other than a State, County or Road District Highway:	55 feet	35 feet

C. In addition to the above, lots shall provide for a minimum setback of all structures of ten (10) feet from all other property lines, easement lines or alleys.

Section 5.6--Streets Trees, Screen Planting

Any trees or shrubs proposed to be installed in the street by the Subdivider or developer and any screen

planting required pursuant to these Regulations shall be approved by the County Board as to types and placement.

Section 5.7--Guarantee of Performance

A. Surety Bond Required:

A surety bond payable to the County of Perry, as required in Article III, Section 3.4, shall be conditioned upon the construction of the improvements in full conformity with the engineering plans and specifications twelve (12) months from the date thereof. The Plan Review Committee, for good cause shown, may extend the time of performance for not more than twenty-four (24) months.

B. Form:

The surety bond shall provide, among other things, that the owner of the land shall be one of the principals under said bond and that the surety shall be responsible for the completion of the work within reasonable time after being notified that default has been made.

C. Release:

Any surety bond so given to guarantee the construction of any such improvement may be released by the County Clerk only after receiving a written statement from the County Engineer that the improvement has been constructed and that the Certificates, as required in these Regulations have been submitted by a Registered Professional Engineer.

D. Certificate of Completion:

Upon the completion of the street and alley improvements, one copy of the plans and profiles, cross sections, and special provisions shall be filed with the County Engineer accompanied by a Registered Professional Engineers Certificate which states that the improvements have been constructed in accordance with the plans and specification as set forth herein.

Section 5.8--Inspection of Improvements

A. Inspection Required:

All required improvements shall be inspected at the Subdivider's expense. The Engineer shall provide an inspector for the job at all times during the process of construction that shall inspect the installation and constructing of all improvements required herein. When the work has been completed, the Engineer shall certify that the improvements comply in all respects with the approved plans and specifications and with the requirements of these Regulations. All work shall also be at all times subject to inspection by the County Engineer and other affected agencies.

B. Notification and Timing of County Inspections:

Before starting the construction of any improvements, the Subdivider shall ascertain from the County Engineer, what inspections are required and the amount of notification desired in each case, and shall comply with all rules, regulations, and instructions pertaining to such required inspections.

C. Subdivider Responsible for Inspection and Compliance:

Regardless of contracts, agreements, or inspections performed, responsibility for the inspection of the construction and installation of all improvements, in accordance with these Regulations shall also rest with the Subdivider.

D. Approval of Improvements:

When street and drainage improvements and all appurtenances thereto, based on approved engineering drawings have been constructed or installed and have passed all inspections, the streets shall then be tendered by the Subdivider to the Road District Highway Commissioner for acceptance.

E. Acceptance of Streets:

Upon completion of construction of the required physical improvements, and the filing with the County Engineer, the Certified plans and specifications, the Commissioner of Highways of the Road District having jurisdiction of the subdivision shall furnish the Subdivider a copy of the a completed form of acceptance of streets. An example is provides in Article VI.

ARTICLE VI.
CERTIFICATES

The following forms are examples and may be used in Approval of Plats:

Letter of Preliminary Approval

The Preliminary plat of subdivision as shown herein is approved and the Plan Review Committee now is ready to receive the final plat of said subdivision for consideration. This is NOT an approval of the final plat.

Date: _____.

Perry County Plan Review Committee

By: _____, County Engineer

_____, Administrator of Health Department

_____, Supervisor of Assessments

_____, District Conservationist

FINAL PLAT CERTIFICATE

COUNTY BOARD CERTIFICATE FOR FINAL PLAT (To be made a part of the original drawing on the Final Plat, and used whenever a subdivision is located wholly or in part outside of an incorporated municipality)

STATE OF ILLINOIS)
) SS
COUNTY OF PERRY)

Under authority of the Illinois Revised Statutes, this plat was given approval by the County Board of Perry County at a meeting on the _____ day of _____, 19

_____, County Board Chairman

(SEAL)

_____, County Clerk

SURVEYORS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF PERRY)

SURVEYORS CERTIFICATE (To be made a part of the Original drawing on the Final Plat)

"I, _____, hereby certify that I am a Licensed Professional Land Surveyor, licensed in compliance with the laws of the State of Illinois, that this plat correctly represents a survey completed by me on _____, that all monuments shown thereon actually exist, that the location, size, type and material of said monuments are accurately shown.

I further certify that this plat is in accordance with the Illinois Plat Act, 765 ILCS 205.

I further certify that this survey has been performed in accordance with the laws of the State of Illinois regulating sectional surveys and in accordance with the rules and laws regulating subdivision of Sections within those areas of the United States controlled by the Rectangular Survey System.

Signature_____

(SEAL)

Date

DEED OF DEDICATION

Each final plat submitted to the County Board for approval shall carry a deed of dedication in substantially the following form:

"We, the undersigned _____, owners of the real estate shown and described herein, do hereby certify that we have laid off, plat and subdivide, said real estate in accordance with the attached plat.

This subdivision shall be known and designated as _____. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

There are strips of ground _____ feet in width as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, surface drainage, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easements herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the right of the public utilities.

(Additional dedications and protective covenants, or private restrictions are inserted here. Important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor area.)

The foregoing covenants, (or restrictions) are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, _____ (a twenty-five year period is suggested), at which time said covenants, or (restrictions), shall be automatically extended for successive periods of ten (10) years unless changed by a vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, in whole or in part. Invalidation of any one of the foregoing covenants or restrictions, by judgement or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereto, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns."

Witness our Hands and Seals this _____ day of _____, 19_____

STATE OF ILLINOIS)
) SS
COUNTY OF PERRY)

Signature: _____

Signature: _____

Before me the undersigned Notary Public, in and for the County and State, personally appeared
and each separately and severally acknowledge the execution as the forgoing instrument of his or her voluntary
act or deed, for the purposes therein expressed.

Witnessed my hand and notary seal this _____ day of _____, 19_____

Signature: _____

ENGINEER'S CERTIFICATE (S)

STATE OF ILLINOIS)
) SS
COUNTY OF PERRY)

I, _____, as owner of the land shown subdivided hereon, and _____, a Registered Professional Engineer No. _____, do hereby certify that to the best of my knowledge and belief, the development of the subdivision, as shown platted hereon, will not change the drainage of the surface waters in such a manner as to cause damage to adjoining properties, and that such surface waters will be deposited into a water course which the owner of said Subdivision has a right to use.

I further certify that this subdivision platted herein: (choose all that pertain)

_____ falls within the 100 year flood plain

_____ does not fall within the 100 year flood plain

_____ falls within Zone _____ indicating _____ as shown on the Community Panel # _____, dated _____

I further certify I have reviewed or laid out the surface drainage on the following site: _____

The following parameters were used in the design:

Storm Duration & Frequency: _____ (15 year, 24 hour)
Pre-Development Runoff Rate: _____ CFS
Post-Development Runoff Rate Without Detention: _____ CFS
Post-Development Runoff Rate With Detention: _____ CFS
Detention Storage Provided: _____ CF

Signature

(SEAL)

Date of signing: _____

IL P.E. License Expiration Date: _____

ACCEPTANCE OF STREETS

ROAD DISTRICT-
PERRY COUNTY

"The Commissioner of Highways of _____ Road District hereby agrees to accept the streets in _____ Subdivision in Section _____, Township _____ North, Range _____ East/West of the Third Principal Meridian, said Subdivision consisting of _____ miles of streets.

"The Road District will maintain the streets, including snow removal, surface drainage of the streets as it exists at the time of acceptance, existing culverts, and surfacing of the streets as constructed.

"All additional entrance culverts required shall be furnished by others, subject to the approval of the Road District Highway Commissioner as to type and size.

Dated this _____ day of _____, 19____

Highway Commissioner

Road District

Filed this _____ day of _____, 19____

County Clerk

cc: Subdivider
Highway Commissioner
County Engineer
Plan Review Committee of County Board
Illinois Department of Transportation

ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATE

The Illinois Department of Transportation has approved this plat with respect to roadway access pursuant to 765 ILCS 205. However, a Highway Permit for access is required by the owner of the property. The Department will require a plan that meets requirements contained in the Department's "Policy on permits for Access Driveways to State Highways".

District Engineer

ARTICLE VII. VARIANCE

Where the Subdivider can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to and where in the opinion of the County Board, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision the County Board may authorize a variance.

Section 7.1--Application and Determination

In the event the County Board finds that extraordinary hardship or injustice will result from strict compliance with these Regulations, it may vary the terms thereof to the extent necessary to grant relief, provided:

- A. That special conditions and circumstances exist which are peculiar to the tract or tracts to be subdivided.
- B. That literal interpretation of the provisions of these Regulations would deprive the Subdivider of rights commonly enjoyed by other Subdividers under the terms of these Regulations.
- C. That special conditions and circumstances do not result from the actions of the Subdivider.
- D. That granting the variance requested will not confer on the Subdivider any special privilege that is denied by these Regulations to other Subdividers.
- E. The County Board determines that the variance requested is:
 - (1) The least deviation from these Regulations which will mitigate the hardship,
 - (2) Not detrimental to the public interest, and is in keeping with the general intent and
 - (3) Not applicable to other subdivisions nor subdividers.

Section 7.2--Decision

The County Board shall in the form of a motion, which has been presented, adopted, approved and recorded in the same manner as other motions, act upon the granting of any variance by the County Board.

ARTICLE VIII. EFFECTIVENESS

Section 8.1--Publication

The County Clerk is hereby directed to cause this Ordinance to be published for general circulation to the public.

Section 8.2--Geographic Scope

This Ordinance shall be applicable to all of Perry County, except where a local municipality has provided for and approved a form of zoning and/or comprehensive planning that is equivalent to or more stringent than this ordinance.

Section 8.3--Conflicts and Severability

In any case where a provision of this Ordinance is found to be in conflict with any provision of any zoning, building, or safety code or ordinance in force in the incorporated or unincorporated areas of the county existing on the effective date of this Ordinance, the provision which establishes the higher standard for the promotion and protection of the people of the County shall prevail. If any proposed subdivision is located such that it lies both in a municipality and in the county, the higher standard of regulations will be followed.

Section 8.4--Effective Date

This Ordinance shall be in full force upon its approval, passage and publication.

ADOPTED BY THE PERRY COUNTY BOARD OF COMMISSIONERS ON THIS
_____ DAY OF _____, 19_____

PERRY COUNTY BOARD OF COMMISSIONERS

_____, Chairman-Board of Commissioners

_____, Member-Board of Commissioners

_____, Member-Board of Commissioners

ATTEST:

_____, County Clerk (SEAL)